

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED)
RICE LITIGATION,) 4:06MD1811 CDP

This Order Relates to: 4:09CV433 CDP
Riceland Foods, Inc. v.
Bayer AG, et al.

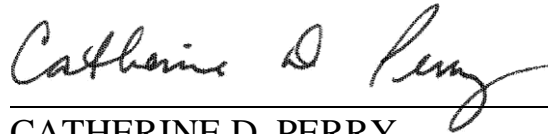
ORDER OF DISMISSAL

On June 29, 2015, this Court issued an order in Case No. 4:06MD1811CDP (the master docket for the *In Re Genetically Modified Rice* MDL), applying the Common Benefit Fund Order in that case to the parties' settlement of Riceland's claims against Bayer. That order deemed that the parties' settlement of their state-court case also settled this case pending in the MDL, Case No. 4:09CV433 CDP. *See* Order of June 29, 2015, No. 4:06MD1811, ECF No. 5506. On the same day, the Court entered an order in this case noting that the case had been resolved and requiring counsel to file a stipulation for dismissal, a motion for leave to voluntarily dismiss, or a proposed consent judgment. The order specifically warned that failure to comply with the order would result in dismissal of the action with prejudice. No. 4:09CV433, ECF No. 27.

The parties have filed a memorandum recognizing that the Court intended to dismiss the case, declaring their intent to appeal the Common-Benefit Fund Order

in the MDL case, and otherwise reserving their right to appeal that decision in this case once this case is dismissed. They have also now filed a Notice of Appeal in the MDL Case, Case No. 4:06MD1811CDP, ECF 5521. They did not, however, file a dismissal or other document in this case as required by that order, so the Court will dismiss the case for the parties' failure to comply with court order.

IT IS HEREBY ORDERED that this case is dismissed with prejudice.

A handwritten signature in black ink, reading "Catherine D. Perry", is written over a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of August, 2015.